

Jeffrey W. Bower
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Re: Broadband NRPM, FCC Docket 96-98

Dear Commissioners,

It is vital that facilities-based DSL companies like Covad Communications be allowed continued access to the ILECs bottleneck facilities (copper & fiber RT line-shared loops to the home). UNE-L DSL CLEC's have followed the exact intent of the original Telecommunications Act of 1996 and have invested Billions in a DSL rollout using their own equipment. Now the Bells want the FCC to change the rules and eliminate the facilities-based DSL competition. They throw a myriad of requests at the FCC hoping that just one is accepted. Dominance/Non-Dominance ruling, Line-Sharing, CLEC DSL Information Service classification, all serve the purpose for eliminating facilities-based competition. All of these requests MUST be rejected.

I challenge to FCC to answer one question. What precedence you trying to set? One where Facilities-Based investment is punished and eliminated? Now is the time for the FCC to standup for competitive companies that have embraced the facilities based model. If the FCC gives into the Bells and eliminates the UNE-L DSL providers, what assurance does any voice company like AT&T or WCOM have if they are charged with migrating their voice customers from UNE-P to a UNE-L platform? It would set a horrific precedent that will discourage any investment in UNE-L rather than encourage one.

I urge the Commission to support competitive facilities-based DSL telecommunication companies who are setting an example for the rest. Support and provide incentives for companies that are, have been, and will invest in facilities based competition.

Sincerely,

Jeffrey Bower